

1 of the Court's April 23, 2008 document preservation order and, if called upon, could and would
2 testify competently thereto.

3 2. On April 23, 2008, the Court issued an order regarding evidence preservation
4 ("Order"). In Paragraph 8 of the Order, the Court required that no later than April 30, 2008,
5 counsel for SuccessFactors file under seal a declaration attesting to and confirming that the
6 evidence preservation directive described in Paragraph 7 of the Order had been carried out.

7 3. In accordance with the express terms of the Order, SuccessFactors hereby lodges
8 with the Court a sealed copy of the Declaration of Patrick Premo attesting to the matters required
9 by the provisions of Paragraph 7 of the Order.

10 I declare under penalty of perjury under the laws of the United States of America and the
11 State of California that the foregoing is true and correct, and that this declaration was executed
12 this 30th day of April, 2008, in Mountain View, California.

/s/ Patrick Premo

Patrick Premo

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